REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 3-9, 11-15, 17, 18, and 22-30 remain pending in this application. New claims 31-33 have been added, which correspond to previously cancelled claims 19-22.

Claim 30 is rejected under 35 USC 112, first paragraph, as being based on a disclosure which is not enabling. In response, the limitations of claim the 30, which was pending originally with the application have been placed into the specification on page 5. The significance of 25% is only to distinguish cartographic entries from the vehicle route. The intensity measurements are obvious to one of ordinary skill in the art. Applicants submit that this rejection should be withdrawn.

Claims 3-9, 11-15, 17-18 and 22-30 are rejected under 35 USC 103(a) as being unpatentable over Person (U.S. Patent No. 5,067,081 and further in view of Komura et al. (U.S. Patent No. 5,311,173). Applicants respectfully traverse this rejection.

Regarding independent claim 4, a prima facie case of obviousness to exist, there must be "some objective teaching in the prior art or ... knowledge generally available to one of ordinary skill in the art [that] would lead that individual to combine the relevant teachings of the references." In re Fine, 837 F.2d 1071, 1074 (Fed. Cir. 1988). "The motivation, suggestion or teaching may come explicitly from statements in the prior art, the knowledge of one of ordinary skill in the art, or, in some cases the nature of the problem to be solved." In re Kotzab, 217 F.3d 1365, 1370 (Fed. Cir. 2000). The Examiner has not met these tests and thus has not provided a prima facie rejection. Komura et al. is concerned about the running trajectory and the candidate route, not on-road or off-road. Even if Komura et al. could be combined with Person, Applicants do not believe that they are combinable, and the present invention would still not be obtained.

Regarding independent claim 11, as discussed above, neither reference discloses a plurality of operational modes as more fully defined in previous claim 19 (now claim 31).

Regarding independent claim 17, as discussed above, neither reference discloses a plurality of operational modes as more fully defined in previous claim 19 (now claim 31).

Regarding independent claim 25, Komura et al. teaches different colors in accordance with the probability densities which are quite different from the present invention. Regarding independent claim 25, because neither applied reference discloses a plurality of operational

11

modes, claim 25 is not obvious and even if the two references were combinable, the present invention would still not be obtained.

For at least these reasons, independent claims 4, 7, 8, 9, 11, 17 and 25 are patentable over the combination of Person and Komura et al. Dependent claims 3, 5, 6, 12-15, 18, 22-24, 26-33, either directly or indirectly dependent on independent claims 4, 7, 8, 9, 11, 17 and 25, recite additional important limitations and are patentable for the reasons discussed above with respect to the independent claims as well as on their own merits.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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12